

Citizens' Assembly
Note on Voting Arrangements and Procedure
13 – 14 January 2018

Background

This note has been prepared for the Members in advance of the voting on the Assembly's fourth topic: *the manner in which referenda are held*.

This is the first weekend that the Assembly will consider and make recommendations on a topic by the conclusion of proceedings on Sunday afternoon. For this reason, a draft Ballot Paper will not be circulated to the Members until Sunday morning.

Time has been allocated on the agenda on Saturday 13th January, to ensure that the Member's views on which issues could/should be included on a ballot paper can be heard. The Secretariat and Expert Advisory Group will be closely following the comments from the members and a draft ballot paper will be prepared based on this feedback on the instruction of the Chairperson. This will be explained in further detail on Saturday morning.

Much of the material in this note is identical to that provided in advance of the voting on the three topics considered by the Assembly to date, namely; the *Eighth Amendment of the Constitution*, *how we best respond to the challenges and opportunities of an ageing population* and *how to make the State a leader in tackling climate change*. Members are asked to consider this note carefully in advance to familiarise themselves with the procedure to be used on the day.

According to the resolution approving establishment of the Assembly:

“all matters before the Assembly will be determined by a majority of votes of members present and voting, other than the Chairperson who will have a casting vote in the case of an equality of votes”.

Voting Arrangements

Voting will be done in secret and will be anonymous. There will only be one Ballot Paper on this occasion.

- Members will register for and collect their Ballot Paper individually; ballots will not be individualised, but the Secretariat will keep a record of how many ballot papers have been issued and which Assembly members collected their ballot paper;
- There will be only one Ballot Paper, but for counting purposes each question will be on a separate sheet of paper;
- Members will then move on to cast their Ballot in a booth. To allow the voting to happen as quickly and efficiently as possible there will be three booths in total, with four voting positions at each;
- Completed Ballot Papers will then be placed in locked ballot boxes;

Announcement and Presentation of Results

It is intended that the results of the Ballot Paper will be announced at the end of the meeting at 3.30pm.

When the results are announced the following information will be provided:

- the number of Members eligible to vote;
- the number of Members who voted. In theory this figure should be the same as the first, but there may be reason why a discrepancy might arise, for example if a Member decides not to cast their ballot;

- the outcome of the vote. The results will be presented in absolute terms as well as in percentage terms.

Once the counting has been concluded and verified, the ballot papers will be retained by the Secretariat until the work of the Assembly has been completed, after which they will be destroyed.

Presentation of Results and Determining the Majority

The following explanation is provided to clarify how it is intended to present the results of each question on the Ballot. In each case clarification is also provided about how the majority will be determined in respect of each type of question that may appear on the Ballot Paper.

Simple referendum style question with a single yes/no answer

The results will provide details of the number of votes cast in respect of 'Yes' and 'No' for each question in this category.

A majority, and therefore the recommendation of the Assembly, will be determined by reference to the total votes cast in favour of 'Yes' and 'No', with the option with the highest number of votes deemed to be the majority and therefore the recommendation of the Assembly.

Multiple choices questions of which the Member is to select one option only

The results will provide details of the number of votes cast in respect of each option for questions with this structure. This will be reported by simply counting the number of votes for each preference and reporting that as a table with the most popular option at the top followed by the remaining options in decreasing order of popularity.

A majority, and therefore the recommendation of the Assembly, will be the option which obtained the highest number of votes with the chair having a casting vote if required. The majority will be determined by reference to the total votes cast in favour of all options available in each individual question.

Questions with multiple possible answers where the Members are asked to rank these in order of preference

The results will provide details of the number of votes cast in respect of each option for questions with this structure. In order to facilitate clear reporting for these questions, the returning officer will assign a score to each question for each question and these scores will be added up. For example if there are 5 options in the question then each time an option is voted as the first preference of a citizen that question scores 5 points. Similarly a score of 4 points is awarded for a second preference down to 1 point for last preference. The total scores are added up to give an overall vote for each question and the results can be reported as a list of options in decreasing order of preference.

A majority, and therefore the recommendation of the Assembly, will be the option which obtained highest score. However the report of the Assembly on this topic will provide the full voting results, and will therefore reflect the full spectrum of opinion of the Members of the Assembly.

Question with multiple possible answers where the Members are asked to tick each one that is relevant to them

The results will simply report for each of the options the number of people who marked that option along with the percentage of the electorate that number represents.

The recommendation or recommendations of the Assembly, will arise where a majority, i.e. 50% or more of the Assembly, votes in favour of an option.

Casting Vote

The Oireachtas resolution provides that '*the Chairperson (who) will have a casting vote in the case of an equality of votes*'.

If in any of the ballots there is an equality of voting, the Chair will have the casting vote as provided for in the Resolution of the Oireachtas.

In practical terms, as we will to publish the actual number of votes cast for each ballot as well as the percentages, any required casting vote will be done by means of a verbal statement by the Chair.

Spoiled Votes

In national elections a vote which does not express a clear preference or which expresses multiple preferences is a spoiled vote. For the purposes of voting at the Citizens' Assembly these categories will apply as outlined below. Please note that not all of these categories may arise during the vote on each topic:

1. The voter does not mark an X against any option for a question. This would not affect the validity of other questions on the same Ballot Paper.
2. The voter marks an X against more than one option in a single question where only one option is sought. In this case it is again not possible to determine the intention of the voter so the vote should be treated as invalid.
3. Where a voter is asked to rank options in order of preference and marks 1 beside more than one option or does not mark 1 beside any question.
4. Where a voter is asked to rank options in order of preference and either skips or duplicates a preference other than the first preference then only any preferences indicated up to the missing/duplicated one will be counted. For example in a question with five options if the voter marks 2, 1, 3, 4, 3 then preferences 1 and 2 are counted and the remaining ones are not. Similarly if a voter marks 1, 2, 4, 5 then only preferences 1 and 2 are valid.

Observing the Counting of the Ballots

The Rules and procedures of the Assembly state that:

“Votes shall be overseen by the Chairperson with the support of at least 2 members of the Assembly.”

Accordingly, prior to the commencement of the counting of the Ballots, at least two members will be invited by the Chair to carry out this function.

ENDS